

## Harris County Justice Courts

## Request for Tow or Boot Hearing

### Texas Occupations Code Chapter 2308, Subchapter J. -- Rights of Owners and Operators of Stored Vehicles

**Instructions:** The owner or operator of a vehicle towed without consent and placed in a vehicle storage facility, or booted, without consent, is entitled to a hearing on whether probable cause existed for the removal or booting of the vehicle. Any Justice Court in the County in which the vehicle was towed or booted may hear the case and the Harris County Justice Courts have centralized the filing of these cases. A person entitled to a hearing must deliver a written request for the hearing to the **Harris County Justice Courts Central Case Processing Unit, Harris County Criminal Justice Center, 1201 Franklin, 7th Floor, Houston, Texas 77002**, before the 14th day after the date the vehicle was removed and placed in the vehicle storage facility, or booted (not counting Saturdays, Sundays and legal holidays) or the right to a hearing is waived. The Request for Hearing must be completed with specified information. The Central Case Processing Unit accepts filings **Monday through Friday from 8:00 a.m. to 3:30 p.m.** For further information go to: <http://www.jp.hctx.net> or call 713-755-2861.

At the time of filing, a fee of \$36.00 (\$20 filing fee, \$10 statewide electronic filing system fund fee, and \$6 fee for basic civil legal services for indigents) must be paid by cashier's check or money order payable to the Harris County Justice Courts. **The Central Case Processing Unit does not accept cash.**

Requests for Hearing will be directed to Justice Courts in Precinct 2 Place 2 (Pasadena), Precinct 3 Place 2 (Baytown), and Precinct 7 Place 1 (Houston).

**\*You must attach a copy of the Receipt from the Towing Company or Vehicle Storage Facility.**

Tow Trucks, Operators, Vehicle Storage Facilities and Booting Companies are licensed by the Texas Department of Licensing and Regulation. For questions, complaints, or additional information about go to <http://www.license.state.tx.us/towing/towing.htm> or call the TDLR at 800-803-9202.

"Parking Facility" means public or private property used for restricted or paid vehicle parking. The term includes (A) a restricted space on a portion of an otherwise unrestricted parking facility; and (B) a commercial parking lot, a parking garage, and a parking area serving or adjacent to a business, church, school, home that charges a fee for parking, apartment complex, property governed by a property owners' association, or government-owned property leased to a private person, including: (i) a portion of the right-of-way of a public roadway that is leased by a governmental entity to the parking facility owner; and (ii) the area between the facility's property line abutting a county or municipal public roadway and the center line of the roadway's drainage way or the curb of the roadway, whichever is farther from the facility's property line.

### Request for Hearing under Chapter 2308, Texas Occupations Code (Rights of Owners and Operators of Stored or Booted Vehicles)

Name of Vehicle's Owner or Operator: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Daytime Telephone \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email address: \_\_\_\_\_ The person requesting the hearing is the ☐ owner ☐ operator of vehicle

Description of Vehicle – Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_

License Plate – State: \_\_\_\_\_ Number: \_\_\_\_\_ Date towed or booted: \_\_\_\_\_

Location from which Vehicle was towed or booted: \_\_\_\_\_

#### *Please check the appropriate information:*

- ☐ I paid the costs of the tow and storage in the amount of \$\_\_\_\_\_.
- ☐ **I have attached a copy of the receipt and/or of the notification of rights to this Request for Hearing.**
- ☐ I have attached photograph(s) that show the location and text of signs posted restricting the parking of vehicles.
- ☐ (If the Vehicle was removed from a parking facility) I have attached photograph(s) that show the location and text of signs posted restricting the parking of vehicles at the parking facility.
- ☐ (If the Vehicle was removed from a parking facility) No sign restricting parking was posted at the parking facility.
- ☐ I want to recover the costs of the photographs in the amount of \$\_\_\_\_\_.
- ☐ I was charged or paid a towing charge greater than the amount authorized. I paid a Towing Charge of \$\_\_\_\_\_.

\*Describe the circumstances of the tow: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Continue on second page)

SIGNED on \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner/Operator of Vehicle

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***Instructions: Complete the following information:***

*Parking Facility Owner Authorizing Removal*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

*Law Enforcement Agency Authorizing Removal*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

*Vehicle Storage Facility in Which the Vehicle Was Placed*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Do you have possession of the vehicle? ☐ Yes ☐ No

*Towing Company That Removed the Vehicle or Booting Company that Installed the Boot on the Vehicle*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

*Booting Company Installing Boot on the Vehicle*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

*Additional Information:*

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